

From: Clerk Info
To: LaCross, Sally
Date: 10/18/2010 2:29 PM
Subject: Fwd: ADM File No. 2002-24

>>> "PETE" <prtochman@tochman.com>
10/18/2010 12:07 PM >>>

Dear Clerk:

This is submitted in opposition to the proposed amendment to Michigan Rule or Professional Conduct 7.3 to require the printed words "Advertising Material" on any advertising material utilized by attorneys. It seems to me that the advocates of this change bear the burden of demonstrating an existing problem that will be solved by this proposal. This burden, in my estimation, has not been met. The assumption underlying this proposal, it seems to me, is that when a citizen is exposed to an advertisement, he or she is not aware of this, and by explicitly stating that the advertisement is an advertisement, the citizen will then be in a better position to evaluate it. However, this assumption treats the average citizen as if he or she is completely ignorant and lacking in common sense. How many people see an attorney's commercial on television, in the newspaper or in a direct mailing, and do not realize that the

communication is an advertisement? I suggest very few, and for the few who are truly that lacking in common sense, this proposal will be of no help.

I urge the court to reject this unnecessary addition to our court rules and burden on Michigan attorneys.

Very Truly Yours,

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s/ Peter R. Tochman

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